

ADAM PAUL LAXALT  
Attorney General  
ERIN L. ALBRIGHT, Bar No. 9953  
Deputy Attorney General  
State of Nevada  
Bureau of Litigation  
Public Safety Division  
100 No. Carson St.  
Carson City, NV 89701-4717  
Tel: 775-684-1257  
E-mail: ealbright@ag.nv.gov

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<b>JUL 12 2018</b>	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY _____

*Attorneys for Defendants*  
*Cheryl Burson, James Figueroa, Michael Maxfield,*  
*Jeffrey Patterson, Lavert Taylor and Brian Williams*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA**

*ORDER*

PAUL SCOTT KLEIN,  
Plaintiff,

Case No. 3:08-cv-00191-LRH-VPC

v.  
CLARK COUNTY SCHOOL DISTRICT, et al.,  
Defendants.

**MOTION FOR ENLARGEMENT OF TIME  
FOR DEFENDANT MICHAEL MAXFIELD TO  
RESPOND TO DISCOVERY REQUESTS**

Defendants James Brill, Cheryl Burson, Michael Maxfield, Jeffrey Patterson, Lavert Taylor, and Brian Williams, by and through counsel, Adam Paul Laxalt, Attorney General of the State of Nevada, and Erin L. Albright, Deputy Attorney General, hereby file this motion for enlargement of time for Defendant Michael Maxfield to respond to discovery requests.

This motion is based on the following Memorandum of Points and Authorities and all papers and pleadings on file herein.

**MEMORANDUM OF POINTS AND AUTHORITIES**

**I. INTRODUCTION**

Defendants request an enlargement of time for Defendant Michael Maxfield (Defendant Maxfield) to respond to discovery requests. Defendant Maxfield retired from the Nevada Department of Corrections (NDOC) in 2008 and at that time provided his contact address. The discovery requests were mailed to Defendant Maxfield at the address he provided to the NDOC when he retired in 2008.

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1 To date, Defendant Maxfield has been non-responsive in this matter. Defendants are attempting to  
2 locate Defendant Maxfield. Therefore, Defendants respectfully requests this Court enlarge the time for  
3 Defendant Maxfield to respond to the discovery requests served on June 11, 2018 to August 13, 2018.

## 4 **II. RELEVANT FACTUAL BACKGROUND**

5 Plaintiff served Defendant Maxfield with discovery on June 11, 2018. Defendant Maxfield  
6 retired from the NDOC and at that time provided his contact address. The discovery requests were  
7 mailed to Defendant Maxfield at the address provided when he retired. To date, Defendant Maxfield  
8 has been non-responsive in this matter. Defendants are attempting to locate Defendant Maxfield.

## 9 **III. LEGAL AUTHORITY AND DISCUSSION**

10 The Court may enlarge the period of time for an act to be performed before the expiration of the  
11 specified period of time in which the act was to be done based on a showing of good cause. NRCP  
12 6(b)(1).

13 Defendants assert good cause exists to extend the deadline for Defendant Maxfield to respond to  
14 Plaintiff's discovery requests. The time to respond to the discovery requests has not expired.  
15 Defendants seek an enlargement of time for Defendant Maxfield to respond to Plaintiff's discovery  
16 requests because Defendants are attempting to locate Defendant Maxfield as the address he provided to  
17 the NDOC in 2008 when he retired is no longer valid. Therefore, Defendants respectfully request this  
18 Court extend the deadline to respond to Plaintiff's discovery requests to August 13, 2018 so they can  
19 attempt to locate Defendant Maxfield. The requested extension is done in good faith and not made for  
20 the purposes of delay or to prejudice Plaintiff.

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IV. CONCLUSION

Based on the foregoing, Defendants respectfully request this Court extend the deadline for Defendant Maxfield to respond to Plaintiff's discovery requests to August 13, 2018.

DATED this 11<sup>th</sup> day of July, 2018.

ADAM PAUL LAXALT  
Attorney General

By:

  
ERIN E. ALBRIGHT  
Deputy Attorney General  
State of Nevada  
Bureau of Litigation  
Public Safety Division

*Attorneys for Defendants*

IT IS SO ORDERED

  
U.S. MAGISTRATE JUDGE

DATED July 12, 2018

**CERTIFICATE OF SERVICE**

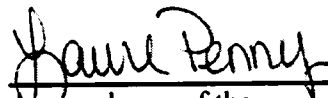
I certify that I am an employee of the Office of the Attorney General, State of Nevada, and that on this 11<sup>th</sup> day of July, 2018, I caused to be deposited for mailing a true and correct copy of the foregoing, **MOTION FOR ENLARGEMENT OF TIME FOR DEFENDANT MICHAEL MAXFIELD TO RESPOND TO DISCOVERY REQUESTS**, to the following:

Paul Klein, #30918  
High Desert State Prison  
P.O. Box 650  
Indian Springs, NV 89070

Via email:

S. Scott Greenberg, Esq.  
Office of the General Counsel  
Clark County School District  
5100 West Sahara Ave.  
Las Vegas, NV 89146  
greens2@nv.ccsd.net

Crystal J. Herrera, Esq.  
Office of the General Counsel  
Clark County School District  
5100 West Sahara Ave.  
Las Vegas, NV 89146  
herrec4@nv.ccsd.net



An employee of the  
Office of the Attorney General